

# **State of Illinois 91st General Assembly Final Senate Journal**

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STATE OF ILLINOIS

NINETY-FIRST GENERAL ASSEMBLY

4TH LEGISLATIVE DAY

THURSDAY, JANUARY 28, 1999

9:00 O'CLOCK A.M.

The Senate met pursuant to adjournment.  
Honorable James "Pate" Philip, Wood Dale, Illinois, presiding.  
Prayer by Reverend James Johnson, Monroe Street Christian Church,  
Springfield, Illinois.  
Senator Sieben led the Senate in the Pledge of Allegiance.

Senator Myers moved that reading and approval of the Journal of  
Wednesday, January 27, 1999 be postponed pending arrival of the  
printed Journal.

The motion prevailed.

## **REPORTS RECEIVED**

The Secretary placed before the Senate the following reports:

A report submitted by the Health Care Worker Task Force as  
directed by Senate Resolution 206.

A report to determine the feasibility, the potential risks and  
benefits to patients, and the potential effect on the health care  
delivery system of authorizing recovery care of nonsurgical patients

in postsurgical recovery center demonstration models submitted by the Department of Public Health pursuant to Section 25 of the Alternative Health Care Delivery Act (210 ILCS 3/25).

A report on Fiscal Year 2000 Higher Education Budget Recommendations, Operations and Grants and Capital Improvements, submitted by the Board of Higher Education.

The Report on Village of Cleveland Hazard Mitigation Project, January 1999, submitted by the Department of Natural Resources pursuant to the flood Control Act of 1945.

The Report on Whiteside County Hazard Mitigation Project, January 1999, submitted by the Department of Natural Resources pursuant to

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the Flood Control Act of 1945.

The foregoing reports were ordered received and placed on file in the Secretary's Office.

#### **EXCUSED FROM ATTENDANCE**

On motion of Senator Demuzio, Senator Shaw was excused from attendance due to illness.

#### **INTRODUCTION OF BILLS**

**SENATE BILL NO. 87.** Introduced by Senator T. Walsh, a bill for AN ACT to amend the Criminal Code of 1961 by adding Article 24.6 and changing Section 24-1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 88.** Introduced by Senator Cullerton, a bill for AN ACT to amend the Illinois Pension Code by changing Section 17-134 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 89.** Introduced by Senator Cullerton, a bill for AN ACT to amend the Illinois Pension Code by changing Section 17-119.1 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 90.** Introduced by Senator Cullerton, a bill for AN ACT to amend the Illinois Pension Code by changing Sections 17-119 and 17-156.1 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 91.** Introduced by Senator Cullerton, a bill for AN ACT to amend the Illinois Pension Code by changing Sections 17-116 and 17-122 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 92.** Introduced by Senator Halvorson, a bill for AN ACT to amend the Illinois Procurement Code by adding Section 20-37.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 93.** Introduced by Senator Halvorson, a bill for AN ACT to amend the State Revenue Sharing Act by adding Section 13.2.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 94.** Introduced by Senator Halvorson, a bill for AN ACT to amend the Harassing and Obscene Communications Act by changing Section 1.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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**SENATE BILL NO. 95.** Introduced by Senator Halvorson, a bill for AN ACT to amend the Illinois Vehicle Code by changing Section 11-401.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 96.** Introduced by Senator Dillard, a bill for AN ACT to amend the Counties Code by changing Section 2-1001.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 97.** Introduced by Senator Dillard, a bill for AN ACT to amend the Illinois Pension Code by changing Sections 16-127 and 16-128.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 98.** Introduced by Senator O'Malley, a bill for AN ACT to amend the Illinois Credit Union Act by changing Sections 5 and 42.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 99.** Introduced by Senator O'Malley, a bill for AN ACT to amend the Metropolitan Water Reclamation District Act by changing Section 8c.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 100.** Introduced by Senators Burzynski - R. Madigan, a bill for AN ACT to amend the Illinois Pension Code by

adding Section 7-199.4 and to amend the State Mandates Act.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

At the hour of 9:10 o'clock a.m., Senator Geo-Karis presiding.

#### PRESENTATION OF RESOLUTION

Senator Dillard offered the following Senate Joint Resolution, which was ordered printed and referred to the Committee on Rules:

#### SENATE JOINT RESOLUTION NO. 5 CONSTITUTIONAL AMENDMENT

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that there shall be submitted to the electors of the State for adoption or rejection at the general election next occurring at least 6 months after the adoption of this resolution a proposition to amend Article V of the Illinois Constitution by changing Sections 1, 3, 7, and 18 and by repealing Section 17 as follows:

(ILCON Art. V, Sec. 1)

##### SECTION 1. OFFICERS

The Executive Branch shall include a Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~Comptroller~~ and Treasurer elected by the electors of the State. They shall keep the public records and maintain a residence at the seat of government during their terms of office.

(Source: Illinois Constitution.)

(ILCON Art. V, Sec. 3)

##### SECTION 3. ELIGIBILITY

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To be eligible to hold the office of Governor, Lieutenant Governor, Attorney General, Secretary of State, ~~Comptroller~~ or Treasurer, a person must be a United States citizen, at least 25 years old, and a resident of this State for the three years preceding his or her election.

(Source: Illinois Constitution.)

(ILCON Art. V, Sec. 7)

##### SECTION 7. VACANCIES IN OTHER ELECTIVE OFFICES

If the Attorney General, Secretary of State, ~~Comptroller~~ or Treasurer fails to qualify or if the ~~his~~ office becomes vacant, the Governor shall fill the office by appointment. The appointee shall hold office until the elected officer qualifies or until a successor is elected and qualified as may be provided by law and shall not be subject to removal by the Governor. If the Lieutenant Governor fails to qualify or if the ~~his~~ office becomes vacant, it shall remain vacant until the end of the term.

(Source: Illinois Constitution.)

(ILCON Art. V, Sec. 17)

##### SECTION 17. COMPTROLLER - DUTIES (REPEALED)

~~The Comptroller, in accordance with law, shall maintain the State's central fiscal accounts, and order payments into and out of~~

~~the funds held by the Treasurer.~~

(Source: Illinois Constitution.)

(ILCON Art. V, Sec. 18)

#### SECTION 18. TREASURER - DUTIES

The Treasurer, in accordance with law, shall (i) maintain the State's central fiscal accounts, and order payments into and out of the funds held by him or her, (ii) be responsible for the safekeeping and investment of monies and securities deposited with him or her, and for their disbursement upon his or her order, and (iii) have the duties and powers that may be prescribed by law ~~of the Comptroller.~~

(Source: Illinois Constitution.)

#### SCHEDULE

A Comptroller shall not be elected in 2002 and thereafter. This Constitutional Amendment otherwise takes effect upon the conclusion of the term of the Comptroller elected in 1998.

### INTRODUCTION OF BILLS

**SENATE BILL NO. 101.** Introduced by Senator Parker, a bill for AN ACT to amend the Illinois Vehicle Code by changing Section 11-1502.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 102.** Introduced by Senator Watson, a bill for AN ACT to amend the Illinois Vehicle Code by adding Section 11-1429.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 103.** Introduced by Senator Rauschenberger, a bill for AN ACT to amend the Metropolitan Water Reclamation District Act by changing Section 7a.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

**SENATE BILL NO. 104.** Introduced by Senator Radogno, a bill for AN ACT to amend the Property Tax Code by changing Section 18-185.

The bill was taken up, read by title a first time, ordered printed and referred to the Committee on Rules.

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### RESOLUTIONS CONSENT CALENDAR

#### SENATE RESOLUTION NO. 9

Offered by Senator O'Malley and all Senators:  
Mourns the death of Alice C. Frasor of Blue Island.

#### SENATE RESOLUTION NO. 10

Offered by Senator O'Malley and all Senators:  
Mourns the death of Gloria M. Karamanski of Palos Park.

#### SENATE RESOLUTION NO. 11

Offered by Senator O'Malley and all Senators:

Mourns the death of Phyllis Blanche Adams of Palos Park.

**SENATE RESOLUTION NO. 12**

Offered by Senator Smith and all Senators:  
Mourns the death of Reverend Eddie Madison Miller of Chicago.

**SENATE RESOLUTION NO. 13**

Offered by Senator Dillard and all Senators:  
Mourns the death of Ira E. "Bud" Findley.

**SENATE RESOLUTION NO. 14**

Offered by Senator Demuzio and all Senators:  
Mourns the death of Betty Jones of Grafton.

**SENATE RESOLUTION NO. 15**

Offered by Senator Demuzio and all Senators:  
Mourns the death of John A. Sestak of Springfield.

Senator Geo-Karis moved the adoption of the foregoing resolutions.

The motion prevailed.

And the resolutions were adopted.

**PRESENTATION OF RESOLUTION**

Senator Donahue offered the following Senate Joint Resolution and, having asked and obtained unanimous consent to suspend the rules for its immediate consideration, moved its adoption:

**SENATE JOINT RESOLUTION NO. 6**

RESOLVED, BY THE SENATE OF THE NINETY-FIRST GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that when the two Houses adjourn on Thursday, January 28, 1999, the Senate stands adjourned until Tuesday, February 2, 1999, at 12:00 o'clock noon; and the House of Representatives stands adjourned until Tuesday, February 2, 1999, at 1:00 o'clock p.m.

The motion prevailed.

And the resolution was adopted.

Ordered that the Secretary inform the House of Representatives thereof, and ask their concurrence therein.

At the hour of 9:22 o'clock a.m., on motion of Senator Myers, and pursuant to **Senate Joint Resolution No. 6**, the Senate stood adjourned until Tuesday, February 2, 1999 at 12:00 o'clock noon.